



**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**Tentative Notice of Action**

*Promoting the wise use of land  
Helping build great communities*

MEETING DATE <b>June 19, 2015</b> LOCAL EFFECTIVE DATE <b>July 3, 2015</b> APPROX FINAL EFFECTIVE DATE <b>July 17, 2015</b>	CONTACT/PHONE <b>Megan Martin</b> <b>(805)781-4163</b> <b>mamartin@co.slo.ca.us</b>	APPLICANT <b>Blacks Hatchery &amp; Turkey Farms Inc., &amp; Verizon Wireless</b>	FILE NO. <b>DRC2014-00120</b>
SUBJECT Hearing to consider a request by <b>BLACK'S HATCHERY &amp; TURKEY FARMS INC. &amp; VERIZON WIRELESS</b> for a Minor Use Permit/Coastal Development Permit (DRC2014-00120) to allow the co-location, construction, and operation of an unmanned wireless communications facility consisting of one (1) new Verizon Wireless antenna, (1) new GPS antenna, and four (4) new Verizon Wireless Remote Radio Units within a new 4'-0" tall faux chimney located on the roof of an existing building. Also to be installed is new ground mounted equipment to include one (1) new equipment cabinet and meter pedestal within a 36 square foot lease enclosure area surrounded by a new 6'0" high wooden fence. The proposed project is within the Recreation land use category and is located at 6252 Moonstone Beach Drive. The site is in the community of Cambria in the North Coast Planning Area.			
RECOMMENDED ACTION Approve Minor Use Permit DRC2014-00120 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION A Class 3 Categorical Exemption was issued on April 29, 2015 (ED14-243).			
LAND USE CATEGORY <b>Recreation</b>	COMBINING DESIGNATION <b>Archaeologically Sensitive Area, Coastal Appealable Zone, Coastal Special Communities, Local Coastal Plan, Visitor Serving Area, Geologically Sensitive Area</b>	ASSESSOR PARCEL NUMBER <b>022-381-012</b>	SUPERVISOR DISTRICT(S): <b>2</b>
PLANNING AREA STANDARDS: <b>Cambria Urban Area Standards</b> Does the project meet applicable Planning Area Standards: <b>Not applicable</b>			
LAND USE ORDINANCE STANDARDS: Section 23.04.100 – Setbacks Section 23.04.124 – Height Limitations Section 23.07.080 – Geologic Study Area, .082 - Applicability of GSA Standards Section 23.07.104 – Archaeologically Sensitive Areas Section 23.07.120 – Local Coastal Program Area Section 23.08.284 - Communications Facilities Does the project conform to the Land Use Ordinance Standards: <b>Yes - see discussion</b>			
EXISTING USES: <b>Hotel/Motel and Parking Lot</b>			
SURROUNDING LAND USE CATEGORIES AND USES: North: <b>Recreation / Visitor Serving Accommodations</b> East: <b>N/A / Cal Trans right-of-way</b> South: <b>Recreation / Visitor Serving Accommodations</b> West: <b>Recreation / Pacific Ocean</b>			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Environmental Health, Building Division, Cambria Community Services District, California Coastal Commission, North Coast Advisory Council	
TOPOGRAPHY: Generally level	VEGETATION: Urban built-up
PROPOSED SERVICES: Water supply: N/A Sewage Disposal: N/A Fire Protection: Cal Fire	ACCEPTANCE DATE: April 20, 2015
FINAL ACTION This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing.  The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.	
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER – SAN LUIS OBISPO – CALIFORNIA 93408 – (805) 781-5600 – FAX: (805) 781-1242	

## DISCUSSION

### PROJECT DESCRIPTION:

Verizon Wireless proposes to locate an unmanned telecommunications facility on the roof of an existing structure (hotel). The facility will resemble a chimney similar to those already on the roof of the structure and mounted approximately 22' above ground level. The faux chimney with Verizon Wireless antenna will rise above the roofline approximately 6'-0". A 3'-6" x 10'-0" equipment area will be located on the site approximately 20 feet northeast of the motel and will store one (1) new prefabricated equipment cabinet on a new concrete pad. All associated utility lines will be undergrounded between the hotel and the lease area in a 6'-0" wide utility easement. No new accessways or improvements are proposed. As conditioned, the proposed panel antennas, cables, and associated mounting brackets will be painted a non-reflective color to match and visually blend with the existing motel building. The design is consistent with the County Coastal Zone Land Use Ordinance (Title 23 Section 23.08.284) which requires new communication facilities to either be completely screened from public view or blend with the design of existing structures or elements of the landscape.

#### PLANNING AREA STANDARDS:

As described below, the project complies with applicable Combining Designations, Cambria Urban Area Standards, and the Recreation development standards of the North Coast Area Plan.

#### **Cambria Urban Area Standards**

##### Cambria Fire Department Review

All new development shall comply with applicable state and local Cambria fire codes. Prior to application acceptance, land use and building permit applications shall include a fire plan review from the Cambria Fire Department.

*Staff comments: The project is conditioned to receive a Fire Plan Review from Cambria Fire Department.*

##### Recreation

Permit Requirement. A Minor Use Permit is required for all new development unless a Development Plan is otherwise required by the Coastal Zone Land Use Ordinance.

*Staff Response: The project complies with this standard. Minor Use Permit approval is also required by the Coastal Zone Land Use Ordinance because the placement of a telecommunications facility on an existing structure requires Minor Use Permit approval. See Section 23.08.284(b)(1) – Permit Requirements below for further discussion.*

##### Moonstone Beach.

Exterior building colors. Building colors should be subdued hues and tones harmonizing with the dominant colors of the natural environment.

*Staff Response: The proposed structure will not be altered. The faux chimney will be designed to blend with the existing roof infrastructure (chimneys). They will be painted similar hues and tones and will not stand out as communication facilities.*

#### COASTAL ZONE LAND USE ORDINANCE STANDARDS:

##### **Section 23.01.043c(3)(i): Appeals to the Coastal Commission (Coastal Appealable Zone)**

The project is appealable to the Coastal Commission because the subject parcel is located within 300 feet of a coastal bluff.

##### **Section 23.04.100 – Setbacks**

The new faux chimney will be located on an existing structure and meets all setback requirements. The antennas located on the rooftop will be supported by telco and utility lines connected to ground mounted equipment within a 3'-6" x 10'-0" equipment lease area approximately 90 feet northeast of the hotel building 3'-0" from the rear property line. The lease area will be screened by a 6'-0" high wooden fence (adjacent to Highway One) and will also be screened by existing vegetation to the west and Cypress trees to the east. This location is the

least visibly obtrusive area and minimizes potential noise impacts to hotel users on the adjacent property.

#### **Section 23.04.124 – Height Limitations**

The maximum height for new structures in the Recreation land use category is 35 feet. The proposed wireless communications facility will be co-located to an existing hotel and be disguised as a faux chimney to match existing roof infrastructure on the existing building. The new faux chimney will extend above the roofline approximately 6'-0"; a total height of 28" above ground level.

#### **Section 23.07.082 - Applicability of GSA Standards**

Alterations or additions to any structure, the value of which does not exceed 50% of the assessed value of the structure in any 12-month period, is exempt from the applicability of the Geologic Study Area standards. The proposed project involves the addition of a telecommunications facility to an existing structure. The addition will not create or contribute to geological instability; therefore, detailed review is not necessary or applicable.

#### **Section 23.07.104 – Archaeologically Sensitive Areas**

This Section requires development applications within the Archaeologically Sensitive combining designation area to include a preliminary archaeological site survey. The survey shall be conducted by a qualified archaeologist knowledgeable in local Native American culture and approved by the Environmental Coordinator. If the preliminary site survey determines that proposed development may have significant effects on existing, known or suspected archaeological resources, a plan for mitigation shall be prepared by a qualified archaeologist.

*Staff Response: The project site is within a designated archaeologically sensitive area. However, the project involves the construction and operation of an unmanned communications facility on an existing structure and parking area, in previously disturbed areas. Utilities to support the Verizon Wireless communications facility are proposed to be connected between the structure and lease area by a 6'-0" wide utility easement. The utilities will be undergrounded and minor site disturbance of the existing parking area will occur. As conditioned, in the event archaeological resources are unearthed or discovered during any construction activities, the standards of Section 23.05.140 shall apply.*

#### **Section 23.07.120: Local Coastal Program**

The project site is located within the California Coastal Zone as established by the California Coastal Act of 1976, and is subject to the provisions of the Local Coastal Program.

#### **Section 23.08.284 – Communications Facilities**

This Section of the Land Use Ordinance (Title 23) contains specific land use permit and application content requirements as well as siting and design standards for proposed wireless communications facilities. As described below, the proposed project meets these requirements:

##### Radio Frequency Analysis

Section 23.08.284(a)(2) requires applications for communications facilities to provide estimates of non-ionizing radiation generated and/or received by the facility. These shall include estimates of the maximum electric and magnetic field strengths at the edge of the facility site

and the extent that measurable fields extend in all directions from the facility.

*Staff Response: The project complies with this requirement because the applicant supplied a report that evaluates the proposed communications facility for compliance with appropriate guidelines limiting human exposure to radio frequency (RF) electromagnetic fields. According to the RF report for this project (Hammett & Edison, Inc., March 25, 2015), the public exposure limit RF emissions from the proposed facility would be less than 8.6% of the applicable public exposure limit. The maximum calculated level of RF emissions at the second-floor elevation of any nearby building would be 5.7% of the public exposure limit.*

*The Verizon antenna would not be accessible to the general public, and so no mitigation measures are necessary to comply with the FCC public exposure guidelines. To prevent occupational exposures in excess of the FCC guidelines, Hammett & Edison recommended that appropriate RF safety training be provided and no access within 6 ½ feet directly in front of the antenna itself, such as might occur during maintenance work on the roof, be allowed while the base station is in operation. Marking boundaries with yellow and blue paint lines on the roof of the building to identify areas calculated to exceed the FCC occupational and public limits, respectively, and posting explanatory signs next to the markings and on the antenna, would be sufficient to meet the FCC-adopted guidelines. The recommendations of Hammett & Edison have been included as conditions of approval. Operation of the base will comply with the prevailing standards for limiting public exposure to radio frequency energy and, therefore, will not for this reason cause a significant impact on the environment.*

#### Permit Requirements

Section 23.08.284(b)(1) requires Minor Use Permit approval for proposed wireless communications facilities that are either a) installed on existing structures, or b) co-located at existing communications facility sites. Conditional use permit approval is required for all other communications facilities.

*Staff Response: The Planning Area Standards of the North Coast Area Plan requires Minor Use Permit approval for any new development in the Recreation land use category. The proposed project also requires Minor Use Permit approval because the proposed antennas are to be installed on an existing structure.*

#### Development Standards

According to Section 23.08.284(b)(3), the preferred placement for new wireless communication facilities is on existing structures, completely hidden from public view or painted and blended to match existing structures. In addition, all facilities shall be screened with vegetation or landscaping. Where screening with vegetation is not feasible, the facilities shall be disguised to resemble rural, pastoral architecture (e.g. windmills, barns, trees) or other features determined to blend with the surrounding area and be finished in a texture and color deemed unobtrusive to the neighborhood in which it is located.

*Staff Response: The new Verizon Wireless antennas will be placed on the roof of an existing structure and will be designed as a faux chimney, not discernable as a wireless communication facility. The design will be similar to those already existing on the rooftop of the structure. The*

*Verizon Wireless lease area will be screened and surrounded by a 6'-0" wooden fence. The lease area would not be visible from Highway One or Moonstone Beach Drive.*

#### COASTAL PLAN POLICIES:

Shoreline Access: <input checked="" type="checkbox"/>	Policy No(s): 1
Recreation and Visitor Serving:	N/A
Energy and Industrial Development:	N/A
Commercial Fishing, Recreational Boating and Port Facilities:	N/A
Environmentally Sensitive Habitats:	N/A
Agriculture:	N/A
Public Works:	N/A
Coastal Watersheds:	N/A
Visual and Scenic Resources:	N/A
Hazards: <input checked="" type="checkbox"/>	Policy No(s): 3
Archeology: <input checked="" type="checkbox"/>	Policy No(s): 1
Air Quality:	N/A

Does the project meet applicable Coastal Plan Policies: Yes, see discussion.

#### COASTAL PLAN POLICY DISCUSSION

##### ***Shoreline Access***

Policy 1: Protection of Existing Access. The proposed development will not interfere with the public's right of access to the coast because it will be co-located onto the roof of an existing structure and will not block access to the sea.

##### ***Recreation & Visitor-Serving Facilities***

The project site is located in a Visitor Serving Area, but the policies identified in the Coastal Plan Policies Document are not applicable. The proposed project is not a principally permitted use but it will not prejudice the provision of adequate visitor-serving facilities because installation of the facility will not remove or convert the existing visitor serving accommodation use on site or those in the area.

##### ***Hazards***

Policy 3: Development Review in Hazard Areas. The project site is located within a Geologically Sensitive Area however it involves negligible site disturbance and the co-location of a telecommunications facility on the roof of an existing structure. Development of the proposed project will not create or contribute to geological instability; therefore, detailed review is not necessary or applicable.

##### ***Archaeological Resources***

Policy 1: Protection of Archaeological Resources. The proposed project involves little to no site disturbance. All utilities will be undergrounded between the existing structure and Verizon Wireless lease area. Disturbance will occur entirely within the parking lot that supports the visitor-serving accommodation on site. It is not anticipated that undergrounding utilities in the parking lot and installation of the ground mounted equipment will adversely affect archaeological

or paleontological resources. Standard conditions of approval have been included as a part of Exhibit B in the event archaeological or paleontological resources are discovered during construction.

COMMUNITY ADVISORY GROUP COMMENTS:

The proposed project was unanimously supported at a regular meeting of the North Coast Advisory Council on April 15, 2015.

AGENCY REVIEW:

Public Works – There are no significant concerns, problems or impacts related to the project. Comments and recommendations included, as applicable, with Exhibit B – Conditions of Approval.

Environmental Health – Applicant shall submit a hazardous materials business plan for the proposed cell site.

*Staff Response: The project, as conditioned, will be required to submit the business plan at the time of application for construction permits.*

Building Division – Building permit is required.

California Coastal Commission – None received.

Cambria Community Services District – None received.

LEGAL LOT STATUS:

The one existing parcel was legally created by the recordation of a map for Lot Line Adjustment COAL 87-209, Parcel #2 (Book 43, Page 76 of Parcel Maps) at a time when that was a legal method of creating parcels.

Staff report prepared by Megan Martin and reviewed by Ryan Hostetter and Steve McMasters.